

FISCAL NOTE

HB 166 - SB 1697

April 21, 2003

SUMMARY OF BILL: Authorizes multiple tests to determine the alcoholic or drug content of a person's blood if administered at the direction of a law enforcement officer having reasonable grounds to believe such person was driving under the influence. Requires such tests to be administered within two hours of the person's arrest or detention for the results to be admissible as evidence.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Less than \$100,000

Increase Local Govt. Expenditures* - Less than \$100,000 / Permissive

Estimate assumes:

- to the extent local governments choose to conduct multiple tests, they will experience an increase in expenditures for the cost of administering such tests.
- to the extent the provisions of the bill increase the number of tests analyzed by the Tennessee Bureau of Investigation, they will experience an increase in expenditures for the cost of the analysis.
- the increased expenditures to the state and local governments will be offset by the cost of the test and analysis being included in court costs to be paid by the offender. To the extent these costs are not paid by indigent defendants or the defendant is not convicted, the state and local governments will bear the cost which is estimated to be less than \$100,000 for each.
- net impact on the number of D.U.I. convictions would be not significant as additional tests could result in additional convictions as well as additional acquittals.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director